

No. 421-4Lab-74/1649.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the disputes between the workmen and the management of M/s Rajinder Weaving Factory, Sultanpur, tehsil Sonapat.

**BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.**

Reference No. 81 of 1971

between

**SHRI RAM LAL AND THE MANAGEMENT OF M/S RAJINDER WEAVING FACTORY, SULTANPUR, TEHSIL SONEPAT.**

Present:—

Sari R.C. Sharma, for the management.

Nemo for the workman

**AWARD**

None has appeared on behalf of the workman concerned. A perusal of the record would show that the name of the workman concerned has been wrongly given in the order of reference and his authorised representative has obtained several adjournments for necessary correction by a fresh notification of the State Government. A very long period has passed but necessary notification of the Government has not yet been received. The non-appearance of the workman concerned and his authorised representative further gives the impression that he is not interested in the present proceedings.

The reference shall, in the result, stand rejected for being bad in law, Shri Ram Lal in respect of whom the reference has been made being not a workman of the management within the meaning of the Industrial Disputes Act, 1947. In the circumstances, there shall be no order as to costs.

Dated 3rd January, 1974.

**O. P. SHARMA,**

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 65, dated 7th January, 1974.

Forwarded, (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

**O. P. SHARMA,**

Presiding Officer,  
Labour Court, Haryana, Rohtak.

No. 473-4Lab-74/1651.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Elsons Cotton Mills (P) Ltd., Ballabgarh.

**BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD**

Application No. 22 of 1972 under section 33-A of the Industrial Disputes Act, 1947

between

**SHRI DAMODAR, WORKMAN AND THE MANAGEMENT OF M/S ELSONS COTTON MILLS (P) LTD., BALLABGARH.**

Present:—

Shri Sunhari Lal, for the workman.

Shri Jawala Singh, for the management.

## AWARD

Shri Damodar a workman of M/s Elsons Cotton Mills (P) Ltd., Ballabgarh brought this complaint under section 33-A of the Industrial Disputes Act, 1947, with the allegations that during the pendency of a dispute (Reference No. 104 of 1971) in which he was a workman concerned. The management terminated his services without seeking the prior approval of the Tribunal and therefore the impugned order made in contravention of the provisions of law is illegal, unjustified and not binding upon him and in the result he is entitled to reinstatement with full back wages.

Notice of the complaint was given to the management. The above allegations made by the workman were controverted and it was urged that as a matter of fact he had absented himself from duty without any proper authorisation and as such there was no contravention of the provisions of section 33 of the Industrial Disputes Act, 1947, entitling him to any relief by way of reinstatement or payment of back wages. It is, however, not necessary to go into the merits of the case as the dispute has been settled by the parties outside the Court and Shri Damodar workman concerned by virtue of agreement, dated 13th March, 1973 Ex. M-1 on record has received payment of his full and final dues from the management giving up his right of reinstatement or re-employment.

In view of the above, the present complaint has become infructuous and shall stand dismissed as such but without any order as to costs.

Dated 26th December, 1973.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad

Nov 1405, dated 31st December, 1973.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 26th December, 1973.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 452-4Lab-74/1653.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s Steel and General Mills Company, Sonapat.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
ROHTAK.

Reference No. 41 of 1973

between

SHRI JHANDU RAM AND THE MANAGEMENT OF M/S STEEL AND GENERAL MILLS  
COMPANY, SONEPAT

Present:

Shri M. S. Rathi for the workman.

Shri Mohan Lal Sharma, for the management.

## AWARD

Shri Jhandu Ram was in the service of M/s Steel and General Mills Company, Sonapat as a sweeper at Rs. 104 P. M. The management terminated his services with effect from 24th September, 1972. He raised a demand for reinstatement but without success. Conciliation proceedings also ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, referred the above dispute for adjudication to this court—vide order No. ID/RK/233-A-73/20494-98, dated 20th June, 1973 in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, with the following terms of reference:—

Whether the termination of services of Shri Jhandu Ram was justified and in order? If not, to what relief is he entitled?

Usual notices were given to the parties who have arrived at an amicable settlement. The workman concerned being to old is not interested in service. The management has agreed to pay to him Rs. 700 in full and final settlement of his entire claims including gratuity within a period of 7 days from today.

In view of the above, no further proceedings are called for in the case there being no dispute left between the parties and the award is made accordingly holding that the workman concerned is not entitled to any other relief by way of reinstatement, re-employment or payment of any other dues. In the circumstances, there shall be no order as to costs.

The 4th January, 1974

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 134, dated the 11th January, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

The 21st January, 1974

No. 474-4Lab-74/2175.—In pursuance of the provisions of Section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s. Elsons Cotton Mills (P) Ltd ; Ballabgarh.

**BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL  
HARYANA, FARIDABAD**

**Application No. 31 of 1972 under section 33A of the Industrial Disputes Act, 1947**

*between*

**SHRI OM PARKASH WORKMAN AND THE MANAGEMENT OF M/S. ELSONS COTTON  
MILLS (P) LTD ; BALLABGARH**

*Present:—*

Shri Sunhari Lal, for the workman.  
Shri Jawala Singh, for the management.

#### **AWARD**

Shri Om Parkash a workman of M/s Elsons Cotton Mills (P) Ltd ; Ballabgarh brought this complaint under section 33-A of Industrial Disputes Act, 1947, with the allegations that during the pendency of a dispute (Reference No. 104 of 1971) in which he was a workman concerned. The management terminated his services without seeking the prior approval of the Tribunal and therefore the impugned order made in contravention of the provisions of law is illegal, unjustified and not binding upon him and, in the result, he is entitled to reinstatement with full back wages.

Notice of the complaint was given to the management. The above allegations made by the workman were controverted and it was urged that as a matter of fact he had absented himself from duty without any proper authorisation and as such there was no contravention of the provisions of section 33 of the Industrial Disputes Act, 1947, entitling him to any relief by way of reinstatement or payment of back wages. It is, however, not necessary to go into the merits of the case as the dispute has been settled by the parties outside the Court and Shri Om Parkash workman concerned by virtue of agreement, dated 28th September, 1973 Ex. M-1 on record has received payment of his full and final dues from the management giving up his right of reinstatement or re-employment.

In view of the above, the present complaint has become infructuous and shall stand dismissed as such but without any order as to costs.

The 26th December, 1973.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 1406, dated the 31st December, 1973.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

The 26th December, 1973.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

S. N. BHANOT,  
Commissioner for Labour and Employment  
and Secretary to Government, Haryana,